

Serial No. 10/702,225

Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

Claim Amendments

Claim 1 has been amended. Claims 10-22 have been canceled in view of the restriction requirement. Claim 23 has been added. With entry of the foregoing amendment, claims 1-9 and 23 will be pending.

Claim Rejections - 35 USC § 102 and 35 USC § 103

Claims 1-3 and 5 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,468,556 to Fuss et al. ("Fuss"). Withdrawal of the rejection is respectfully requested.

Fuss discloses making shaped loose-fill packaging particles from sheet materials such as paperboard, chipboard, kraft paper, polymeric materials, etc. Column 3, lines 7-9. Flat planar bands or strips of the sheet material are formed into convoluted non-planar-shape particles. Column 7, lines 15-21. End regions of each strip are then joined together with an adhesive or by stapling to complete the non-planar-shape loose-fill packaging particle. Column 2, lines 34-41.

In contrast, claim 1 is directed to manipulating formed strips of dunnage rather than forming planar strips into dunnage. Fuss does not teach or suggest manipulating strips of dunnage as set forth in claim 1. Therefore, claim 1 and dependent claims 2-9 and 23 are believed to be novel over Fuss.

Claims 4 and 6-9 have been rejected under 35 U.S.C. § 102(b) or § 103(a) as being unpatentable over Fuss, or unpatentable over Fuss in view of U.S. Patent No. 6,251,054 to Cruz et al. ("Cruz") and/or U.S. Patent No. 5,643,647 to Wischusen, III ("Wischusen"). The teachings of Cruz and/or Wischusen, however, do not overcome the shortcomings of Fuss and therefore these dependent claims also are believed to be novel.

Conclusion

In view of the foregoing, request is made for timely issuance of a notice of allowance.

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Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMITTAL

[x] I hereby certify that this paper, and any documents referred to as attached or enclosed, is being facsimile transmitted to the Patent and Trademark Office (fax no. 703-872-9306) on the date shown below.

Date: June 15, 2005

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